

EXHIBIT 8

From: Strapp, Michael
Sent: Tuesday, January 18, 2011 8:24 AM
To: 'Kirstin Stoll-DeBell'
Cc: ML-ePlus Goodwin Service; cmerritt@cblaw.com; rrandolph@cblaw.com; LawsonService; dabney.carr@troutmansanders.com; Erica_Haggard@vaed.uscourts.gov; Robertson, Scott L
Subject: RE: ePlus v. Lawson: Lawson Demonstratives January 18, 2011

Kirstin:

We have now had an opportunity to finish reviewing the 167 slides Dr. Shamos prepared regarding validity topics and served on us last night at 6:02 PM. We have uncovered problems with Dr. Shamos's slides of a much greater magnitude than we anticipated last night.

- *More than 100 of Lawson's slides contain a claim-by-claim, element-by-element analysis of how the RIMS and TV/2 combination and the P.O. Writer and J-CON combination render the asserted claims obvious even though that analysis was never disclosed in Dr. Shamos's report.*
- *Lawson served 55 slides that reference material different from the material disclosed in Dr. Shamos's invalidity report.*
- *Lawson served 35 slides that disclose element-by-element anticipation opinions that do not match the opinions disclosed in his invalidity report.*
- *Lawson served 18 slides that contain undisclosed opinions about the functionality of prior art references.*
- *Lawson served 8 slides that contain legal opinions that the Court has already precluded Dr. Shamos from offering.*
- *Lawson served 5 slides that contain invalidity opinions that the Court already specifically struck.*
- *Lawson served 4 slides that reference "Plaintiff's infringement theory" or "Plaintiff's theory of catalogs" even though Dr. Shamos was excluded from Court during Plaintiff's infringement case-in-chief pursuant to Federal Rule of Evidence 615.*
- *Lawson served 2 slides that describe new invalidity theories Dr. Shamos never previously disclosed.*

Lawson's claim that all of Dr. Shamos's slides are supported by his expert report is plainly incorrect. We are prepared to discuss this with the Court this morning.

Sincerely

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